

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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Dongguan Cheng One Co., Ltd.,

Plaintiff,

-against-

Desen, Inc.,

Defendant.
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Civil Action No.:

1:24-cv-03388-ER

Declaration of Wenge Gao

I, Wenge Gao, hereby makes the following affirmation under the penalties of perjury,
pursuant to 28 U.S.C. §1746:

1. I am an executive director and manager of plaintiff Dongguan Cheng One Co., Ltd., a company engaged in clothing development, design, production, and sales, located in Dongguan City, Guangdong Province, China. I have personal knowledge of the facts stated herein.

2. In 2021, defendant Desen issued a series of purchase orders to my company Dongguan Cheng One for ladies' and men's clothing.

3. Dongguan Cheng One manufactured and delivered the goods pursuant to the purchase orders and issued invoices with a total amount of \$1,999,857.¹ Defendant Desen made payment for a total of \$1,127,957. My company Dongguan Cheng One has sued for recovery of the remaining \$871,900 due for goods sold and delivered to Desen. This amount owed by the defendant is derived from the following invoices.² The due dates for payment for all invoices have passed.

¹ Numbers are rounded. Pennies are disregarded.

² Numbers are not rounded, and pennies are kept for accuracy.

Invoice Number	Total Amount	Expected Date of Payment	Actual Date of Payment	Payment Amount: US Dollars	Actual Payment Received
DS-2020-002	\$120,991.20	2021/12/05	2021/10/13	\$20,000.00	\$19,960.00
DS-2020-003	\$132,318.00	2021/12/16	2021/10/21	\$20,000.00	\$19,960.00
DS-2020-004	\$124,331.70	2021/12/16	2021/11/05	\$40,000.00	\$39,960.00
DS-2020-005	\$124,612.20	2021/12/26	2021/11/24	\$20,000.00	\$19,960.00
DS-2020-006	\$125,114.70	2021/12/30	2021/12/06	\$30,000.00	\$29,960.00
DS-2020-007	\$134,921.40	2021/12/31	2021/12/09	\$70,991.20	\$70,951.20
DS-2020-008	\$143,162.40	2022/01/09	2021/12/22	\$104,612.00	\$104,572.00
DS-2020-009	\$117,988.20	2022/03/10	2022/12/31	\$50,000.00	\$49,960.00
DS-2020-010	\$276,149.40	2022/03/14	2022/01/10	\$55,114.70	\$55,074.70
DS-2020-011	\$117,818.10	2022/02/26	2022/01/12	\$70,000.00	\$69,960.00
DS-2020-012	\$11,107.20	2022/03/06	2022/01/20	\$44,921.00	\$44,881.00
DS-2020-013	\$123,494.10	2022/03/10	2022/02/14	\$35,000.00	\$34,960.00
DS-2020-014	\$130,150.50	2022/03/11	2022/03/01	\$30,000.00	\$29,960.00
DS-2020-015	\$316,725.60	2022/05/30	2022/03/07	\$30,000.00	\$29,960.00
DS-2020-016	\$972.00	2022/02/21	2022/03/17	\$47,318.00	\$47,278.00
			2022/03/25	\$40,000.00	\$39,960.00
			2022/04/01	\$20,000.00	\$19,960.00
			2022/04/30	\$20,000.00	\$19,960.00
			2022/05/28	\$50,000.00	\$49,960.00

			2022/06/17	\$30,000.00	\$29,960.00
			2022/07/23	\$15,000.00	\$14,960.00
			2022/07/29	\$15,000.00	\$14,960.00
			2022/08/06	\$20,000.00	\$19,960.00
			2022/08/13	\$20,000.00	\$19,960.00
			2022/08/20	\$20,000.00	\$19,960.00
			2022/09/03	\$60,000.00	\$59,960.00
			2022/11/05	\$20,000.00	\$19,960.00
			2022/11/19	\$10,000.00	\$9,960.00
			2022/12/02	\$30,000.00	\$29,960.00
			2023/01/14	\$30,000.00	\$29,960.00
			2023/02/17	\$20,000.00	\$19,960.00
			2023/03/04	\$10,000.00	\$9,960.00
			2023/05/06	\$10,000.00	\$9,960.00
			2023/05/20	\$20,000.00	\$19,960.00
Total Debt	\$1,999,857 ³			\$1,127,957	\$1,126,597
Total Payment	\$1,127,957				
Outstanding Debt	\$871,900				

4. My company Dongguan Cheng One duly transmitted each invoice to defendant Desen in the ordinary course of business.

³ Total numbers are rounded. Pennies are disregarded.

5. Defendant Desen made no complaints about the goods delivered, whether as to the timeliness of the delivery, their quality, or their compliance with contract specifications.

6. Defendant Desen partially paid some of the invoices through 34 wire payments. From each wire payment was deducted a \$40 outgoing wire transfer fee by defendant Desen's bank, so that plaintiff was underpaid a further \$1,360.

7. Thus, defendant Desen paid \$1,127,957 by wire, and, after deduction of outgoing wire transfer fees of \$1,360, plaintiff received only \$1,126,597.

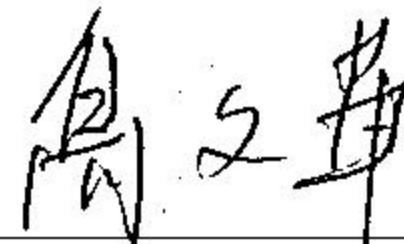
8. The total invoice amount was \$1,999,857. Therefore, without deduction of outgoing wire transfer fees, defendant Desen still owes to my company Dongguan Cheng One \$871,900. And with deduction of outgoing wire transfer fees, defendant Desen still owes my company Dongguan Cheng One \$873,260 plus interest and costs, as is deemed appropriate by the court.

9. My company Dongguan Cheng One has demanded payment due for the invoices on several occasions.

10. Defendant Desen has failed to fulfill its payment obligations despite my company Dongguan Cheng One's multiple demands.

11. Accordingly, I respectfully request that the court grant my company Dongguan Cheng One judgment against defendant Desen Inc. in the amount of \$ 873,260, plus interest and costs, and such other and further relief as the court may deem proper and just.

I, Wenge Gao, currently residing in Dongguan City, Guangdong Province, China, declare under penalty of perjury, pursuant to 28 U.S.C. §1746, under the laws of the United States of America that the foregoing is true and correct.



Wenge Gao

[date]

2024年11月1日